

Court Original

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT DELAWARE**

ROBERT E. BROWN, and)

SHIRLEY H. BROWN,)

Plaintiffs,)

v.)

INTERBAY FUNDING, LLC, and)
LEGRECA & QUINN REAL ESTATE)
SERVICES, INC.,)

Defendants.)

C.A. No. 04-6 17 SLR

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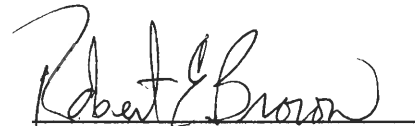
FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE

**PLAINTIFFS MOTION TO POSTPONE THE ORDER OF DEPOSITION OF
ROBERT E. BROWN, PENDING PLAINTIFFS MOTION TO COMPEL TO
RESPOND TO INTERROGATORIES**

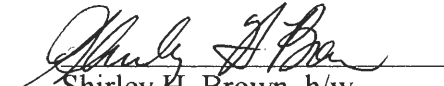
Comes now, Robert E. and Shirley H. Brown, and request this Honorable Court to Postpone the Deposition of Robert E. Brown. Plaintiffs request clarification on the matters presently before this Court that appear to be preferential in favor of Defendant. Plaintiffs have petitioned this Court to compel the Defendants (Interbay and Legreca and Quinn) to respond to the Interrogatories pursuant to Federal Rule of Civil Procedure Rule 37, (h) - **Failure to Make Disclosure or Cooperate in Discovery: Sanctions** a week or more before the discovery deadline of March 7, 2005. Plaintiffs have not received an answer to their Motion.

Defendant violated the Order of (Judge Robinson) November 8th directing all parties that Discovery "shall be initiated so that it will be completed on or before March 7, 2005." Defendant initiated the filing of a Motion for Deposition extension of Discovery on or about March 2-3, 2005, and was awarded an extension of Discovery and a Court Order to Depose Robert E. Brown (March 7, 2005) within two working days. Plaintiffs,

concern is that Defendants had 4 months to comply with the Judge's order, (as did Plaintiffs and other Defendant, Interbay) yet, Defendants (Legrecca and Quinn) were given additional time. This concession gives the appearance of preferenceS in favor of Defendants. Plaintiffs request to know why Defendant was allowed to acquire an Extension of Discovery (in defiance of Court Order) and Court Order to Depose Robert E. Brown, before Plaintiffs (Robert E. and Shirley H. Browns') Motion was given a response. Plaintiffs' motions were filed more than a week before Defendants' Motion for extension of Discovery and Order to Depose Robert E. Brown. In addition, there has been no response to Plaintiffs Motion for Production of Documents from either Defendant (Interbay or Lagrecca and Quinn).



Robert E. Brown, Pro Se.



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IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF DELAWARE

Robert E. Brown and	:	
Shirley H. Brown h/w	:	
Plaintiffs,	:	
v.	:	Civil Action No. 04- 617- SLR
	:	
Interbay Funding LLC, and	:	
Legreca & Quinn Real Estate	:	
Services Inc.	:	
Defendants	:	


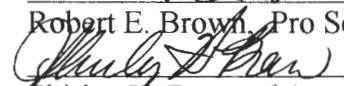
PLAINTIFFS MOTION TO POSTPONE THE ORDER OF DEPOSITION OF
ROBERT E. BROWN , PENDING PLAINTIFFS MOTION TO COMPEL TO
RESPOND TO INTERROGATORIES

This is to certify that on this 16th day of March, 2005, copies of PLAINTIFFS
MOTION TO POSTPONE THE ORDER OF DEPOSITION OF ROBERT E. BROWN
DEPOSITION, were served on the following attorney's listed below:

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